

**APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC  
WATERS OF THE STATE OF NEVADA**Date of filing in State Engineer's Office AUG 18 1999

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_

Map filed SEP 14 1999

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The applicant Battle Mountain Gold Company, hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

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1. The source of the proposed appropriation is Surface Water Run-Off
2. The amount of water applied for is 0.018 second-feet
  - (a) If stored in reservoir give number of acre-feet
3. The water to be used for Environmental Clean-up
4. If use is for:
  - (a) Irrigation, state number of acres to be irrigated
  - (b) Stockwater, state number and kinds of animals to be watered
  - (c) Other use (describe fully under No. 12. "Remarks") Environmental, Mining and Milling
  - (d) Power:
    - (1) Horsepower developed
    - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point NE $\frac{1}{4}$  NE $\frac{1}{4}$  Section 24, Township 31 North, Range 43 East, MDM at a Point from which the NE corner of said Section 24, Township 31 North, Range 43 East MDM, bears N 46° 28' 50" East with a distance of 999.66 feet.
6. Place of Use Sections 14, 15, 16, 21, 22, 23, 26, 27, 28, 32, 33, and 34 of Township 31 North, Range 43 East and Sections 2, 3, 4, 8, 9, 10, 16 and 21 of Township 30 North, Range 43 East MDB&M
7. Use will begin about January 1 and end about December 31 of each year.
8. Description of proposed works Surge pond to collect run-off
9. Estimated cost of works \$50,000
10. Estimated time required to construct works 2 Years
11. Estimated time required to complete the application of water to beneficial use 5 Years
12. Remarks: Surface water run-off impacted by acid rock drainage from inactive waste rock facilities will be conveyed by truck to beneficiation units in the Copper Canyon mining area.

Chuck Zimmerman  
By s/Chuck Zimmerman  
3488 Goni Rd., Suite 142  
Carson City, Nevada 89706

Compared my/cmf dl/cmf

Protested \_\_\_\_\_

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APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This environmental permit is issued pursuant to the provisions of NRS 533.4375 and is further issued subject to existing rights on the source.

It is understood that the amount of water herein granted is only a temporary allowance for pollution control as required by orders or letters issued by the Nevada Division of Environmental Protection. The right will cease upon the termination of clean up activity as determined by the Nevada Division of Water Resources.

A suitable measuring device will be installed to measure the flow from the Butte Canyon and Iron Canyon drainage before it enters the treatment plant facility. This environmental permit allows the water to be either treated at the treatment plant facility and discharged to the Galena Canyon drainage or trucked from the point of diversion and used for mining and milling purposes. The measuring device will be maintained to allow monthly measurement of the flow. Records of the measurement will be submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

Within 30 days after the completion of the project, the permittee shall notify the State Engineer and all diversionary structures shall be removed.

The State retains the right to regulate the use of water granted herein at any and at all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.018 cubic feet per second, but not to exceed 4.25 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

Proof of completion of work shall be filed before:

Water must be placed to beneficial use on or before:

Proof of the application of water to beneficial use shall be filed on or before:

Map in support of proof of beneficial use shall be filed on or before:

\* The right will cease to exist upon termination of clean up activity as determined by the Nevada Division of Environmental Protection.

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set  
my hand and the seal of my office,  
this 20th day of October, A.D. 1999

State Engineer

Completion of work filed \_\_\_\_\_

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

ENVIRONMENTAL

